



General Assembly

January Session, 2013

## ***Amendment***

LCO No. 7594

**\*HB0616007594HDO\***

Offered by:

REP. FOX, 148<sup>th</sup> Dist.  
REP. DARGAN, 115<sup>th</sup> Dist.  
SEN. HARTLEY, 15<sup>th</sup> Dist.  
SEN. LEONE, 27<sup>th</sup> Dist.  
REP. FLOREN, 149<sup>th</sup> Dist.

REP. MOLGANO, 144<sup>th</sup> Dist.  
REP. FOX, 146<sup>th</sup> Dist.  
REP. TONG, 147<sup>th</sup> Dist.  
REP. MILLER P., 145<sup>th</sup> Dist.

To: Subst. House Bill No. 6160

File No. 400

Cal. No. 268

***"AN ACT REQUIRING WORKING SMOKE AND CARBON MONOXIDE DETECTORS IN ALL RESIDENTIAL BUILDINGS AT THE TIME TITLE IS TRANSFERRED."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective January 1, 2014*) (a) Prior to transferring  
4 title to any real property containing a residential building designed to  
5 be occupied by one or two families for which a building permit for  
6 new occupancy was issued prior to October 1, 2005, the transferor of  
7 such real property shall present to the transferee an affidavit certifying  
8 (1) that such building permit for new occupancy was issued on or after  
9 October 1, 1985, or that such residential building is equipped with  
10 smoke detection and warning equipment complying with this section,  
11 and (2) that such residential building is equipped with carbon

12 monoxide detection and warning equipment complying with this  
13 section or does not pose a risk of carbon monoxide poisoning because  
14 such residential building does not contain a fuel-burning appliance,  
15 fireplace or attached garage.

16 (b) Any transferor who fails to comply with the provisions of  
17 subsection (a) of this section shall credit the transferee with the sum of  
18 two hundred fifty dollars at closing.

19 (c) Any smoke detection and warning equipment required pursuant  
20 to subsection (a) of this section shall (1) be capable of sensing visible or  
21 invisible smoke particles, (2) be installed in accordance with the  
22 manufacturer's instructions and in the immediate vicinity of each  
23 bedroom, (3) not exceed the standards under which such equipment  
24 was tested and approved, and (4) be capable of providing an alarm  
25 suitable to warn occupants when such equipment is activated. Such  
26 equipment may be operated using batteries.

27 (d) Any carbon monoxide detection and warning equipment  
28 required pursuant to subsection (a) of this section shall (1) be capable  
29 of showing the amount of carbon monoxide present as a reading in  
30 parts per million, (2) be installed in accordance with the  
31 manufacturer's instructions, (3) not exceed the standards under which  
32 such equipment was tested and approved, and (4) be capable of  
33 providing an alarm suitable to warn occupants when such equipment  
34 is activated. Such equipment may be operated using batteries.

35 (e) The following shall be exempt from the requirements of  
36 subsections (a) and (b) of this section: (1) Any transfer from one or  
37 more co-owners solely to one or more of the other co-owners; (2)  
38 transfers made to the spouse, mother, father, brother, sister, child,  
39 grandparent or grandchild of the transferor where no consideration is  
40 paid; (3) transfers pursuant to an order of the court; (4) transfers by the  
41 federal government or any political subdivision thereof; (5) transfers  
42 by deed in lieu of foreclosure; (6) any transfer of title incident to the  
43 refinancing of an existing debt secured by a mortgage; (7) transfers by

44 mortgage deed or other instrument to secure a debt where the  
45 transferor's title to the real property being transferred is subject to a  
46 preexisting debt secured by a mortgage; and (8) transfers made by  
47 executors, administrators, trustees or conservators."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2014</i>	New section